

1 Introduced by Committee on Corrections and Institutions

2 Date:

3 Subject: Capital construction; State bonding; budget adjustment

4 Statement of purpose of bill as introduced: This bill proposes to adjust the  
5 FY 2022 capital construction budget.

6 An act relating to capital construction and State bonding budget adjustment

7 It is hereby enacted by the General Assembly of the State of Vermont:

8 Sec. X. 2021 Acts and Resolves No. 50, Sec. 1 is amended to read:

9 Sec. 1. LEGISLATIVE INTENT

10 (a) It is the intent of the General Assembly that of the \$127,378,694.00  
11 authorized in this act, not more than ~~\$70,074,988.00~~ XXXXXXXX shall be  
12 appropriated in the first year of the biennium, and the remainder shall be  
13 appropriated in the second year.

14 (b) It is the intent of the General Assembly that in the second year of the  
15 biennium, any amendments to the appropriations or authorities granted in this  
16 act shall take the form of the Capital Construction and State Bonding  
17 Adjustment Bill. It is the intent of the General Assembly that unless otherwise  
18 indicated, all appropriations in this act are subject to capital budget adjustment.

19 (c) It is also the intent of the General Assembly that in the second year of  
20 the biennium the General Assembly address the impacts of the COVID-19

1 pandemic by offsetting capital projects funded in this act with funds  
2 appropriated to the State from the American Rescue Plan Act of 2021, Pub. L.  
3 No. 117-2 (ARPA) to the extent these appropriations are in compliance with  
4 federal law and guidance. It is also the intent of the General Assembly that  
5 any capital project that is supported with ARPA funds is authorized in this act.

6 Sec. X. 2021 Acts and Resolves No. 50, Sec. 2. is amended to read:

7 Sec. 2. STATE BUILDINGS

8 \* \* \*

9 (c) The following sums are appropriated in FY 2023:

10 (1) Statewide, major maintenance: ~~\$7,350,000.00~~ ~~\$XXXXXXXX~~

11 (2) ~~Statewide, BGS engineering and architectural project costs:~~

12 ~~\$3,624,474.00~~

13 \* \* \*

14 (12) Burlington, 32 Cherry Street, parking garage renovations planning,

15 design, and construction: ~~\$865,000.00~~ ~~\$X,XXX,XXX~~

16 \* \* \*

17 (17) ~~Statewide, three-acre parcel, stormwater planning, design and~~

18 ~~implementation:~~ \$600,000.00

19 (18) Statewide, correctional facilities, door control system replacements:

20 \$670,000.00



1 (b) The following sums are appropriated in FY 2023 to the Department of  
2 Buildings and General Services for the Agency of Human Services for the  
3 following projects described in this subsection:

4 (1) Women’s correctional facilities, replacement: \$1,000,000.00

5 (2) Statewide, correctional facility, life safety and security needs and  
6 enhancements: \$200,000.00

7 (3) Secure Residential Recovery Facility, design and construction:  
8 \$X,XXX,XXX

9 (4) Statewide, correctional facilities, accessibility improvements,  
10 Americans with Disabilities Act (ADA) compliance: \$X,XXX,XXX

11 (5) Statewide, correctional facilities, HVAC, programming and  
12 schematic design: \$XXXXXXXX

13 \* \* \*

14 Appropriation – FY 2022 \$12,350,000.00

15 Appropriation – FY 2023 \$1,200,000.00 \$X,XXX,XXX

16 Total Appropriation – Section 3 \$13,550,000.00 \$X,XXX,XXX

17 Sec. X. 2021 Acts and Resolves No. 50, Sec. 4 is amended to read:

18 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

19 \* \* \*

1 (b) The following sums are appropriated in FY 2023 to the Agency of  
2 Commerce and Community Development for the following projects described  
3 in this subsection:

4 (1) Major maintenance at statewide historic sites: \$350,000.00  
5 \$X,XXX,XXX

6 \* \* \*

7 (4) Division of Historic Preservation, master plan, design process:  
8 \$XXXXXXXX

9 (d) For the amount appropriated in subdivision (b)(4) of this section, on or  
10 before January 15, 2023, the Division of Historic Preservation shall develop  
11 and submit to the House Committee on Corrections and Institutions and the  
12 Senate Committee on Institutions, a master plan for statewide historic sites.

13 Appropriation – FY 2022 \$XXXXXXXXXX

14 Appropriation – FY 2023 \$X,XXX,XXX

15 Total Appropriation – Section 4 \$X,XXX,XXX

16 Sec. X. 2021 Acts and Resolves No. 50, Sec. 8 is amended to read:

17 Sec. 8. VERMONT STATE COLLEGES

18 \* \* \*

19 (b) The following sums are appropriated in FY 2023 to the Vermont State  
20 Colleges for the projects described in subsection:





1 Total Appropriation – Section 9 \$21,308,478.00 \$X,XXX,XXX

2 Sec. X. 2021 Acts and Resolves No. 50, Sec. 10 is amended to read:

3 Sec. 10. CLEAN WATER INITIATIVES

4 \* \* \*

5 (c) ~~The sum of \$500,000.00 is appropriated in FY 2022 to the Agency of~~  
6 ~~Natural Resources for forestry access roads, recreation access roads, and~~  
7 ~~water quality improvements. [Repealed.]~~

8 \* \* \*

9 (e) ~~The sum of \$11,000,000.00 is appropriated in FY 2023 to the Agency~~  
10 ~~of Natural Resources for the Department of Environmental Conservation for~~  
11 ~~clean water implementation projects. The amount of \$X,XXX,XXX is~~  
12 ~~appropriated in FY 2022 to the Agency of Agriculture, Food and Markets for~~  
13 ~~water quality grants and contracts.~~

14 \* \* \*

15 (i) The following amounts are appropriated in FY 2023 to the Agency of  
16 Natural Resources for the Department of Environmental Conservation for the  
17 projects described in this subsection:

18 (1) Water Pollution Control Fund, Clean Water State/EPA Revolving  
19 Loan Fund (CWSRF) match: \$X,XXX,XXX

20 (2) Municipal Pollution Control Grants, pollution control projects and  
21 planning advances for feasibility studies: \$XXXXXXXX



1 (b) The sum of ~~\$900,000.00~~ \$X,XXX,XXX are appropriated in FY 2023 to  
2 the Department of Military for the projects described in subsection (a) of this  
3 section.

4 Appropriation – FY 2022 \$900,000.00

5 Appropriation – FY 2023 \$900,000.00 \$X,XXX,XXX

6 Total Appropriation – Section 11 \$1,800,000.00 \$X,XXX,XXX

7 Sec. X. 2021 Acts and Resolves No. 50, Sec. 12 is amended to read:

8 Sec. 12. PUBLIC SAFETY

9 \* \* \*

10 (b) ~~The sum of \$50,000.00 is appropriated in FY 2023 to the Department of~~  
11 ~~Public Safety for a feasibility study for the Vermont Police Academy in~~  
12 ~~Pittsford.~~ The following amounts are appropriated in FY 2023 to the  
13 Department of Public Safety for the projects described in this subsection:

14 (1) Pittsford, Vermont Policy Academy, feasibility study: \$50,000.00

15 (2) Williston Public Safety Field Station, construction: \$X,XXX,XXX

16 Appropriation – FY 2022 \$6,120,000.00

17 Appropriation – FY 2023 \$50,000.00 \$X,XXX,XXX

18 Total Appropriation – Section 12 \$6,170,000.00 \$X,XXX,XXX

19 Sec. X. 2021 Acts and Resolves No. 50, Sec. 13 is amended to read:

20 Sec. 13. AGRICULTURE, FOOD AND MARKETS

21 \* \* \*

1 (b) The sum of ~~\$350,000.00~~ \$X,XXX,XXX is appropriated in FY 2023 to  
2 the Department of Buildings and General Services for the Agency of  
3 Agriculture, Food and Markets for ~~the project described in subsection (a) of~~  
4 ~~this section~~ major maintenance, renovation, and modernization planning and  
5 design at the Vermont Building at the Eastern State Exhibition.

6	Appropriation – FY 2022	\$260,000.00
7	Appropriation – FY 2023	<del>\$350,000.00</del> <u>\$X,XXX,XXX</u>
8	Total Appropriation – Section 13	<del>\$610,000.00</del> <u>\$X,XXX,XXX</u>

9 **Sec. X. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:**

10 **Sec. 17a. AGENCY OF TRANSPORTATION**

11 **The following amounts are appropriated in FY 2023 to the Agency of**  
12 **Transportation for the projects described in this subsection:**

13 **(1) Cavendish, 132 Green Mountain Railroad, bridge rehabilitation,**  
14 **engineering and construction: \$1,346,569.00**

15 **(2) Chester, 125 Green Mountain Railroad, bridge rehabilitation,**  
16 **construction: \$425,000.00**

17 **(3) Clarendon, replacement of bridge 93, Vermont Railroad,**  
18 **construction: \$261,665.00**

19 **Total Appropriation – Section 17a \$2,094,231.00**

20 **Sec. X. 2021 Acts and Resolves No. 50, Sec. 17b is added to read:**

21 **Sec. 17b. SERGEANT AT ARMS**

1 The amount of \$X,XXX,XXX is appropriated in FY 2023 to the Sergeant at  
2 Arms for upgrades to 2 Aiken Street.

3 Total Appropriation – Section 17b \$XXXXXXXX

4 Sec. X. 2021 Acts and Resolves No. 50, Sec. 17c is added to read:

5 Sec. 17b. VERMONT HISTORICAL SOCIETY

6 The amount of \$X,XXX,XXX is appropriated in FY 2023 to the Vermont  
7 Historical Society for upgrades and repairs to the HVAC system at the  
8 Vermont History Center in Barre.

9 Total Appropriation – Section 17c \$XXXXXXXX

10 Sec. X. 2021 Acts and Resolves No. 50, Sec. 17d is added to read:

11 Sec. 17d. FY 2023; AMERICAN RESCUE PLAN ACT; STATE AND  
12 LOCAL FISCAL RECOVERY FUND; CLEAN WATER  
13 PROJECTS; WATER AND SEWER INFRASTRUCTURE;  
14 AUTHORIZATIONS

15 (a) Findings. The General Assembly finds:

16 (1) In 2021 Acts and Resolves No. 74, Sec. G.700(c), the General  
17 Assembly authorized the Commissioner of Finance and Management to use  
18 not more than \$15,000,000.00 in American Rescue Plan Act (ARPA) funds to  
19 offset capital funds appropriated to projects supporting water and sewer  
20 infrastructure in fiscal year 2022 to the extent feasible under federal law and  
21 guidance.

1           (2) The Commissioner of Finance and Management did not use the  
2           authority described in subdivision (1) of this subsection (a) of this section  
3           during adjournment of the legislation session, but the Governor’s fiscal year  
4           2022–2023 capital budget adjustment report did include recommendations for  
5           water and sewer infrastructure projects historically funded in the State’s capital  
6           construction act that could be funded in fiscal years 2022 and 2023 with ARPA  
7           funds.

8           (b) Intent. It is the intent of the General Assembly to authorize certain  
9           water and sewer infrastructure projects that are eligible for ARPA funds in this  
10           act but appropriate the funds for these projects in the FY 2023 Annual  
11           Appropriations Act.

12           (c) Authorizations. In fiscal years 2022 and 2023, the following capital  
13           projects are authorized to be undertaken with funds appropriated in the FY  
14           2023 Annual Appropriations Act:

15           (1) In FY 2022 and FY 2023, the Department of Forests, Parks and  
16           Recreation is authorized to upgrade forestry access roads, recreation access  
17           roads, and make water quality improvements to these roads.

18           (2) In FY 2023, in addition to the amounts appropriated in Sec. 10(e) of  
19           this act, the Agency of Agriculture, Food and Markets is authorized to issue  
20           water quality grants and contracts.



1           (2) It is also the intent of the General Assembly that, in compliance with  
2           federal law and guidance, projects that receive an appropriation from the  
3           Coronavirus Capital Projects Fund meet the following criteria:

4                   (A) are an investment in capital assets designed to directly enable  
5                   work, education, and health monitoring;

6                   (B) are designed to address a critical need that is resulting from or  
7                   made apparent or exacerbated by COVID-19; and

8                   (C) are designed to address a critical need in the community the  
9                   project serves.

10           (b) Appropriations. The following sums are appropriated from the  
11           Coronavirus Capital Projects Fund for the projects described below:

12                   (1) the amount of \$X,XXX,XXX to the Department of Forests, Parks  
13                   and Recreation for the Parks Connectivity Project to improve reliability,  
14                   performance, and support Internet connectivity services to all State parks.

15                   (2) the amount of \$X,XXX,XXX to the Department of Libraries for the  
16                   Libraries Capital Project for capital improvements to libraries, including  
17                   Americans with Disabilities Act compliance, space renovations for improved  
18                   Internet access for telehealth appointments and job interviews, and general  
19                   building renovations.

20                   (3) the amount of \$X,XXX,XXX to the Department of Public Service  
21                   for the critical communications expansion program to support the deployment

1 of new mobile wireless installations to improve service along State highways  
2 and in population centers.

3 (4) the amount of \$XX,XXX,XXX to the Department of Public Service  
4 in order to support and accelerate the State’s goal of achieving universal access  
5 to reliable, high-quality, affordable broadband. This appropriation shall be  
6 transferred to the Vermont Community Broadband Fund to make grants  
7 through the Broadband Construction Program.

8 **[(4) Reference H.518?]**

9 Total Appropriation – Section 17e \$XXXXXXXX

10 Sec. X. 2021 Acts and Resolves No. 50, Sec. 18 is amended to read:

11 Sec. 18. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

12 (a) The following sums are reallocated to the Department of Buildings  
13 and General Services from prior capital appropriations to defray expenditures  
14 authorized in Sec. 2 of this act:

15 \* \* \*

16 (4) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec.  
17 2(c)(11) (Southern State Correctional Facility, copper waterline  
18 replacement): \$182,851.42

19 (5) of the amount appropriated in 2016 Acts and Resolves No. 160,  
20 Sec. 2(c)(5) (Statewide, major maintenance): \$241,514.00



1	<u>(13) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
2	<u>Sec. 6(a)(9) (E-911 compliance grants):</u>	<u>\$39,156.00</u>
3	<u>(14) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
4	<u>Sec. 11(e)(1)(B) (phosphorous removal equipment):</u>	<u>\$58,890.00</u>
5	<u>(15) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
6	<u>Sec. 16(c)(a) (NEK fiber network):</u>	<u>\$209,219.00</u>
7	<u>(16) of the amount appropriated in 2019 Acts and Resolves No. 139,</u>	
8	<u>Sec. 3(c)(5) (Windsor and St. Johnsbury, site preparation, relocation and</u>	
9	<u>rebuild of a greenhouse at the Caledonia County Workcamp from the former</u>	
10	<u>Southeast State Correctional Facility):</u>	<u>\$162,872.00</u>
11	<u>(17) of the amount appropriated in 2020 Acts and Resolves No. 42, Sec.</u>	
12	<u>2(b)(6) (120 State Street):</u>	<u>\$800,000.00</u>
13	<u>(17) of the amount appropriated in 2020 Acts and Resolves No. 42, Sec.</u>	
14	<u>2(c)(13) (Windsor, renovation cost for relocation of Fish and Wildlife and</u>	
15	<u>Forest, Parks and Recreation):</u>	<u>\$700,000.00</u>
16	<u>(18) of the amount appropriated in 2020 Acts and Resolves No. 42, Sec.</u>	
17	<u>10(b)(2) (rustic cabin construction):</u>	<u>\$575,000.00</u>
18	<u>(19) of the amount appropriated in 2020 Acts and Resolves No. 42, Sec.</u>	
19	<u>17(a) (stand-alone digital public address system):</u>	<u>\$147,177.00</u>
20	<u>(20) of the amount appropriated in 2020 Acts and Resolves No. 42, Sec.</u>	
21	<u>17(b) (stand-alone digital public address system):</u>	<u>\$174,888.00</u>

1 **Total Reallocations and Transfers – Section 18 ~~\$4,198,694.44~~ \$X,XXX,XXX**

2 Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

3 (a) The State Treasurer is authorized to issue general obligation bonds in  
4 the amount of \$123,180,000.00 for the purpose of funding the appropriations  
5 of this act. The State Treasurer, with the approval of the Governor, shall  
6 determine the appropriate form and maturity of the bonds authorized by this  
7 section consistent with the underlying nature of the appropriation to be funded.  
8 The State Treasurer shall allocate the estimated cost of bond issuance or  
9 issuances to the entities to which funds are appropriated pursuant to this  
10 section and for which bonding is required as the source of funds, pursuant to  
11 32 V.S.A. § 954.

12 (b) The State Treasurer is authorized to issue additional general obligation  
13 bonds in the amount of \$6,492,382.00 that were previously appropriated but  
14 unissued under 2021 Acts and Resolves No. 50 for the purpose of funding the  
15 appropriations in this act.

16 Total Revenues – Section 19 ~~\$123,180,000.00~~ \$X,XXX,XXX

17 Sec. X. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts  
18 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,  
19 Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves  
20 No. 190, Sec. 18, 2019 Acts and Resolves No. 42, Sec. 25, 2020 Acts and

1 Resolves No. 139, Sec. 19, and 2021 Acts and Resolves No. 50, Sec. 24, is  
2 further amended to read:

3 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~  
4 ~~2023~~ **June 30, 2022.**

5 Sec. X. 2021 Acts and Resolves No. 50, Sec. 21a is amended to read:

6 Sec. 21a. ~~13 BALDWIN STREET; SALE OF PROPERTY~~ PROPERTIES

7 (a) The Commissioner of Buildings and General Services is authorized to  
8 sell the ~~property~~ properties located at 13, **14-16** Baldwin Street in Montpelier,  
9 Vermont, pursuant to the requirements of 29 V.S.A. § 166.

10 (b) The proceeds from the sale of 13 Baldwin Street shall be used to  
11 support the project described in Sec. 2(c)(21) of this act. The proceeds from  
12 the sales of **14-16** Baldwin Street shall be appropriated to future capital  
13 construction projects.

14 Sec. X. EFFECTIVE DATE

15 This act shall take effect on passage.